

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
PINE BLUFF DIVISION**

**THIS IS A CAPITAL CASE**

MARCEL WAYNE WILLIAMS

PETITIONER

v.

No. 5:02CV00450 JLH

LARRY NORRIS, Director,  
Arkansas Department of Correction

RESPONDENT

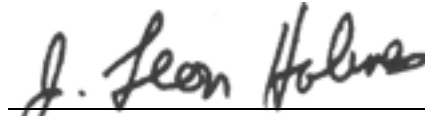
**ORDER**

The application for certificate of appealability (Document #107) by Marcel Wayne Williams is GRANTED as to the following issues:

- A. Whether this Court was correct in its ruling that Mr. Williams is not entitled to relief on his claim that the prosecutor's intentional use of peremptory strikes in a racially discriminatory manner violated his constitutional rights.
- B. Whether this Court was correct in its ruling that Mr. Williams is not entitled to relief on his claim that his right to a fair trial was violated by the presence on his jury of individuals who could not sit as fair and impartial jurors.
- C. Whether this Court was correct in its ruling that Mr. Williams is not entitled to relief on his claim that the admission into evidence of the statement illegally obtained from him by law enforcement violated Mr. Williams's constitutional rights.
- D. Whether this Court was correct in its ruling that Mr. Williams is not entitled to relief on his claim that the sentencing provisions of Arkansas's capital murder statutes violate the Constitution.
- E. Whether this Court was correct in its ruling that Mr. Williams is not entitled to relief on his claim that allowing the jury to consider as an aggravating circumstance the felony conviction that he received at age 15 violated the Eighth and Fourteenth Amendments.
- F. Whether this Court was correct in its ruling that Mr. Williams is not entitled to relief on his claim that his death sentence was improperly supported by the jury's finding that the killing took place for purposes of pecuniary gain.

- G. Whether this Court was correct in its ruling that Mr. Williams is not entitled to relief on his claim that insufficient evidence was presented to support the finding of the aggravating circumstance that the murder was especially cruel or depraved.

IT IS SO ORDERED this 10th day of May, 2007.

A handwritten signature in dark ink, appearing to read "J. Leon Holmes", is written above a horizontal line.

J. LEON HOLMES  
UNITED STATES DISTRICT JUDGE